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NATIONAL FOOTBALL LEAGUE,

NFL PROPERTIES LLC

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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

MDL No. 2323

Master Case No. 12-md-2323

Individual Case No. 2:12-cv-05435

Hon. Anita B. Brody

THIS DOCUMENT RELATES TO:

**STIPULATION FOR SECOND
AMENDED COMPLAINT**

JOHNNIE MORTON, ET AL. V.
NATIONAL FOOTBALL LEAGUE, ET
AL.

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SPORTS CORPORATION;
RIDDELL SPORTS GROUP, INC.;
EASTON-BELL SPORTS, INC.;
EASTON-BELL SPORTS, LLC; EB
SPORTS CORP.; RBG HOLDINGS
CORP.

1 This Stipulation is made by and between Plaintiffs and Defendants, by and
2 through their counsel of record, with reference to the following facts:

3 WHEREAS, Plaintiffs filed their Complaint in the Superior Court of the State
4 of California, Los Angeles County, on May 21, 2012;

5 WHEREAS, the United States District Court for the Eastern District of
6 Pennsylvania issued a Conditional Transfer Order on July 2, 2012 to transfer the case
7 to the Eastern District of Pennsylvania pursuant to Rule 7.1 of the Rules of Procedure
8 of the United States Judicial Panel on Multidistrict Litigation;

9 WHEREAS, the Conditional Transfer Order was finalized on July 10, 2012;

10 WHEREAS, Plaintiffs filed their First Amended Complaint in the Eastern
11 District of Pennsylvania on August 2, 2012 to add additional parties whom Plaintiffs
12 contend are additional similarly-suited plaintiffs;

13 WHEREAS, Plaintiffs will file a Second Amended Complaint in the Eastern
14 District of Pennsylvania to add further parties whom Plaintiffs contend are additional
15 similarly-situated plaintiffs;

16 WHEREAS, Defendants do not contest Plaintiffs' filing of a Second Amended
17 Complaint;

18 WHEREAS, Defendants' consent to Plaintiffs' filing of a Second Amended
19 Complaint to add additional plaintiffs is provided in light of the liberal standards for
20 amending pleadings under Rule 15 of the Federal Rules of Civil Procedure and is
21 without waiver of—and is with total reservation of—any of Defendants' defenses,
22 arguments, and positions with regard to any iteration of the Complaint, either as it
23 currently exists or as amended, including but not limited to arguments concerning
24 timeliness and limitations of actions, failure to state a claim, joinder and severance, or
25 any other arguments. Plaintiffs will not argue, and this Stipulation is not to be and
26 cannot be taken to support any argument of purported waiver of any defense positions
27 or arguments.
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Howard Avchen & Shapiro LLP

1 NOW THEREFORE, Plaintiffs and Defendants, through their counsel of
2 record, stipulate to the following:

3 IT IS HEREBY STIPULATED that Defendants consent to Plaintiff's filing of a
4 Second Amended Complaint.

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1 DATED: Aug 27, 2012

GLASER WEIL FINK JACOBS
HOWARD AVCHEN & SHAPIRO LLP

2
3 By: [Signature]
4 FRED D. HEATHER

5 -and-
6 GIRARDI | KEESE
7 Attorneys for Plaintiffs

8
9 DATED: August 24, 2012

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11 By: Beth Wilkinson w/permission BLS
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15 Attorneys for Defendants
16 NATIONAL FOOTBALL LEAGUE
and NFL PROPERTIES LLC

17 DATED: Aug 24, 2012

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19 By: Robert L. Wise w/permission GLD
20 ROBERT L. WISE

21 Attorneys for Defendants

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26 LLC; EB SPORTS CORP.; RBG
27 HOLDINGS CORP.
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